



GENERAL ISSUES COMMITTEE MINUTES 18-010

9:30 a.m.

Wednesday, May 2, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor M. Pearson (Chair)
Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins,
S. Merulla, M. Green, J. Farr, A. Johnson, L. Ferguson,
A. VanderBeek, R. Pasuta, J. Partridge

**Absent with
Regrets:** Councillor B. Johnson – Personal
Councillor D. Conley – Medical

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Our People and Performance Plan Process Update (CM18009) (City Wide) (Item 5.2)**

(A. Johnson/Skelly)

That Report CM18009, respecting the Our People and Performance Plan Process Update, be received.

CARRIED

- 2. Cleanliness & Security in the Downtown Core Task Force Report 18-002, April 5, 2018 (Item 6.1)**

(Farr/A. Johnson)

- (a) Cigarette Butt Litter Campaign (Item 8.2)**

WHEREAS, the littering of cigarette butts is an increasing concern across the City of Hamilton but especially in the Downtown Core; and,

WHEREAS, the littering of cigarette butts is in violation of the City's existing by-laws; and,

WHEREAS, Business Improvement Areas as well as committees such as Keep Hamilton Clean and Green and the BIA Advisory Committee have been making attempts to address the discarding of cigarette butts for several years; and,

WHEREAS, the Public Works Department has already begun to develop plans for an educational program to combat the issue of cigarette butt littering,

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to investigate and identify potential funding sources, in the approximate amount of \$35,000, to develop an education campaign to address the littering of cigarette butts; and,
- (b) ***That staff be directed to investigate the feasibility, costs and other considerations of targeted enforcement measures to address cigarette butt litter and report back to the Planning Committee.***

MOTION, AS AMENDED, CARRIED

3. Ontario's Main Street Revitalization Initiative (FCS18045) (City Wide) (Item 8.1)

(Eisenberger/Ferguson)

- (a) That the Mayor and City Clerk be authorized and directed to sign a Municipal Funding Agreement substantially in the form and content attached as Appendix "A" to Report FCS18045 between the City of Hamilton and the Association of Municipalities of Ontario for the transfer of Main Street Revitalization funds, together with all necessary associated documents, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services;
- (b) That the By-law to Authorize the Signing of the Municipal Funding Agreement for the Transfer of Main Street Revitalization funds between the Association of Municipalities of Ontario and the City of Hamilton, attached as Appendix "B" to Report FCS18045, be passed;
- (c) That a certified copy of the approved by-law authorizing the signing of the Municipal Funding Agreement be forwarded to the Association of Municipalities of Ontario upon Council approval;
- (d) That the 2018 Main Street Revitalization funds be allocated to a new dedicated reserve - Main Street Revitalization Reserve (104051); and,
- (e) That staff of the departments of Planning and Economic Development and Public Works report back to the General Issues Committee with recommendations for the utilization of Main Street Revitalization funds.

CARRIED

**4. West Harbour Development Sub-Committee Report 18-001, April 10, 2018
(Item 8.2)**

(Whitehead/Eisenberger)

**(a) Lease Expiry of MacDonald Marine Status Update (PED18096) (Ward 2)
(Item 5.1)**

That Report PED18096, respecting Lease Expiry of MacDonald Marine Status Update, be received.

**(b) Status of West Harbour Implementation (PW17075(a)) (City Wide)
(Item 7.1)**

(i) That Report PW17075(a), respecting the Status of West Harbour Implementation, be received; and

(ii) That the Waterfront Board of Directors, who are currently undertaking a \$15.5 million project management of Pier 5, 6 and 7, be requested to undertake a public process that establishes a gateway feature at the foot of James Street North.

**(c) Pier 8 Request for Proposals (RFP) Public Presentation Process
(PED14002(g)) (Ward 2) (Item 7.2)**

That Report PED14002(g), respecting the Pier 8 Request for Proposals (RFP) Public Presentation Process, be received.

CARRIED

5. Canadian Country Music Week 2020 (PED18058(a)) (City Wide) (Item 12.2)

(Jackson/Whitehead)

(a) That the direction provided to staff in Closed Session, respecting Report PED18058(a) – Canadian Country Music Week 2020, be approved; and,

(b) That Report PED18058(a), respecting Canadian Country Music Week 2020, and its appendix, remain confidential.

CARRIED

6. Six Year Event Partnership with Golf Canada (PED18100) (City Wide) (Item 12.3)

(Ferguson/Pasuta)

That Report PED18100, respecting a potential Six Year Event Partnership with Golf Canada, and its appendix, remain confidential.

CARRIED

7. Partial Acquisition of 1550 Tradewind Drive, Hamilton (PED18103) (Ward 12) (Item 12.4)

(Ferguson/Pasuta)

- (a) That an Agreement of Purchase and Sale between the City of Hamilton and the registered property owner Ted Valeri (1932376 Ontario Inc.), scheduled to close on or before September 28, 2018, for the purchase of land described as Parts 1, 2 and 3 on Plan 62R-20075 ("Property"), substantially on the terms and conditions set-out in Report PED18103, and on such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved and completed;
- (b) That all costs related to the acquisition of the Property, at 1550 Tradewind Drive, Hamilton, be funded from Capital Account No. 59259-3621507501 (Cormorant Road Extension), including:
 - (i) Consideration and any adjustments; and,
 - (ii) The sum of \$3,000 to be credited to Account No. 45408-812036 (Real Estate Administrative Cost Recovery) for recovery of expenses including Real Estate and Legal administration fees;
- (c) That the City Solicitor be authorized to complete the transaction, respecting the partial acquisition of 1550 Tradewind Drive, Hamilton on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (d) That the Mayor and City Clerk be authorized to execute the necessary documents, respecting the partial acquisition of 1550 Tradewind Drive, Hamilton, in a form satisfactory to the City Solicitor; and,
- (e) That the contents of Report PED18103 respecting partial acquisition of 1550 Tradewind Drive, Hamilton, remain confidential until final completion of the property transaction.

CARRIED

8. Property Acquisition of 769 Trinity Road, Hamilton (PED18104) (Ward 12) (Item 12.5)

(Ferguson/Partridge)

- (a) That the direction provided to staff in Closed Session, respecting Report PED18104) – Property Acquisition of 769 Trinity Road, Hamilton, be approved;

- (b) That an Agreement of Purchase and Sale between the City of Hamilton and the registered property owners Wayne and Ellen Bowen, (1520869 Ontario Ltd.), scheduled to close on or before June 27, 2018, for the purchase of land described as:
- (i) All of Pin 17411-0333 (LT) Part of Lot 31, Concession 4, in the Geographic Township of Ancaster, in the City of Hamilton. Designated as Part 1 on Plan 62R-11510 save and except Parts 1 & 2 on Plan 62R-11753, Parts 1 & 2 on Plan 62R-14067, Part 1 on Plan 62R-15380 and Parts 4 & 6 on Plan 62R-18588. Subject to an Easement as in Registered Instrument LT299882. Subject to an Easement in Gross as in Registered Instrument WE674760;
 - (ii) Part of Pin 17411-0328 (LT) Part of Lot 31, Concession 4, in the Geographic Township Ancaster, in the City of Hamilton. Designated as Part 1 on Plan 62R-15380, save and except Part 3 on Plan 62R-18588; and,
 - (iii) Part of Pin 17411-0328 (LT) Part of Lot 31, Concession 4, in the Geographic Township of Ancaster, in the City of Hamilton. Designated as Parts 1 & 2 on Plan 62R-14067, save and except Part 3 on Plan 62R-18588,
- based substantially on the terms and conditions set-out in Report PED18104, and on such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved and completed;
- (c) That all costs related to the acquisition of the property at 769 Trinity Road, Hamilton, be funded from Capital Account No. 59259-3621507501 (Cormorant Road Extension), including:
- (i) Consideration and any adjustments; and,
 - (ii) The sum of \$123,750 to be credited to Account No. 45408-812036 (Real Estate Administrative Cost Recovery) for recovery of expenses including Real Estate and Legal administration fees;
- (d) That the City Solicitor be authorized to complete the transaction, respecting the acquisition of property at 769 Trinity Road, Hamilton, on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;

- (e) That the Mayor and City Clerk be authorized to execute the necessary documents, respecting the acquisition of property at 769 Trinity Road, Hamilton in a form satisfactory to the City Solicitor; and,
- (f) That the contents of Report PED18104 respecting the property acquisition of 769 Trinity Road, Hamilton, and its appendices remain confidential until final completion of the property transaction.

CARRIED

9. Development Charges Complaint under Section 22(2) of the *Development Charges Act* – Mattamy Waterdown Limited, 22 Spring Creek Drive, Live / Work Units (LS18001(a) / FCS18010(a) (City Wide) (Item 12.6)

(Partridge/Whitehead)

- (a) That the direction provided to staff in Closed Session, respecting Report LS18001(a)/FCS18010(a) – Development Charges Complaint under Section 22(2) of the *Development Charges Act* – Mattamy Waterdown Limited, 22 Spring Creek Live / Work Units; and,
- (b) That Report LS18001(a)/FCS18010(a), respecting Development Charges Complaint under Section 22(2) of the *Development Charges Act* – Mattamy Waterdown Limited, 22 Spring Creek Live / Work Units, including Appendix “A” attached thereto, and the recommendations therein remain confidential.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

1. PRIVATE & CONFIDENTIAL (Item 12)

12.2 Canadian Country Music Week 2020 (PED18058(a)) (City Wide)

Pursuant to Section 239(2), Sub-sections (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- 12.3 Six Year Event Partnership with Golf Canada (PED18100) (City Wide)

Pursuant to Section 239(2), Sub-sections (j) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- 12.4 Partial Acquisition of 1550 Tradewind Drive, Hamilton (PED18103) (Ward 12)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes.

- 12.5 Property Acquisition of 769 Trinity Road, Hamilton (PED18104) (Ward 12)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes.

- 12.6 Development Charges Complaint under Section 22(2) of the *Development Charges Act* – Mattamy Waterdown Limited, 22 Spring Creek Drive, Live / Work Units (LS18001(a) / FCS18010(a) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- 12.7 Potential Acquisition of the Former Hamilton Psychiatric Hospital Lands (PED16254(e)) (Ward 8)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*,

2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes.

(Farr/A. Johnson)

That the agenda for the May 2, 2018 General Issues Committee meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) April 18, 2018 (Item 3.1)

(Ferguson/Pasuta)

That the Minutes of the April 18, 2018 meeting of the General Issues Committee be approved, as presented.

CARRIED

(d) CONSENT ITEMS (Item 5)

(i) Sub-Committee / Advisory Committee Minutes (Item 5.1)

(Eisenberger/Merulla)

That the following Minutes be received:

- (1) Business Improvement Area Advisory Committee Minutes 18-002, February 13, 2018 (Item 5.1(a))
- (2) Cleanliness and Security in the Downtown Core Task Force Minutes 18-001, February 8, 2018 (Item 5.1(b))
- (3) Arts Advisory Commission Minutes, January 23, 2018 (Item 5.1(c))

CARRIED

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Cameron Topp, Member, Cleanliness & Security in the Downtown Core Task Force Report 18-002, April 5, 2018 (Item 6.1)

Cameron Topp, Member, Cleanliness & Security in the Downtown Core Task Force, addressed Committee and spoke to the Cleanliness & Security in the Downtown Core Task Force Report 18-002 respecting cigarette butt litter.

(Farr/Green)

That the presentation, respecting the Cleanliness & Security in the Downtown Core Task Force Report 18-002, be received.

CARRIED

(ii) Cleanliness & Security in the Downtown Core Task Force Report 18-002, April 5, 2018 (Item 6.1)

(Farr/Green)

(a) That sub-section (b) to Report 18-002 of the Cleanliness & Security in the Downtown Core Task Force, be amended by deleting the words “, if the education campaign is undertaken and upon its completion, that”; deleting the word “and,”; and, by adding the words “**other considerations**”, to read as follows:

(b) That, ~~if the education campaign is undertaken and upon its completion, that~~ staff be directed to investigate the feasibility, costs and **other considerations** of targeted enforcement measures to address cigarette butt litter and report back to the Planning Committee. ~~;~~ **and,**

(b) That sub-section (c) to Report 18-002 of the Cleanliness & Security in the Downtown Core Task Force, be deleted in its entirety:

~~(c) That Task Force member, Cameron Topp, be designated as the spokesperson for this Item when it comes forward at the General Issues Committee.~~

AMENDMENT CARRIED

For disposition of this matter, please refer to Item 2.

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Item 11.1)

(Farr/Ferguson)

That the following amendment to the General Issues Committee's Outstanding Business List, be approved:

(1) Proposed New Due Date:

- (aa) Tourism Industry Panel (PED15026(a))
Current Due Date: May 2, 2018
Proposed New Due Date: July 6, 2018

CARRIED

(g) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – April 18, 2018 (Item 12.1)

(Jackson/Whitehead)

(a) That the Closed Session Minutes of the April 18, 2018 General Issues Committee meeting, be approved, as presented; and,

(b) That the Closed Session Minutes of the April 18, 2018 General Issues Committee meeting remain confidential.

CARRIED

(Merulla/VanderBeek)

That Committee move into Closed Session respecting Items 12.2 and 12.3, pursuant to Section 239(2), Sub-sections (i), (j) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board as well as Items 12.4 to 12.7, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

(ii) Canadian Country Music Week 2020 (PED18058(a)) (City Wide) (Item 12.2)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 5.

(iii) Partial Acquisition of 1550 Tradewind Drive, Hamilton (PED18103) (Ward 12) (Item 2.4)

Staff was provided with direction in Closed Session.

For further disposition of the above matter, please refer to Item 7.

(iv) Property Acquisition of 769 Trinity Road, Hamilton (PED18104) (Ward 12) (Item 12.5)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 8.

(v) Development Charges Complaint under Section 22(2) of the *Development Charges Act* – Mattamy Waterdown Limited, 22 Spring Creek Drive, Live / Work Units (LS18001(a) / FCS18010(a)) (City Wide) (Item 12.6)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 9.

(vi) Potential Acquisition of the Former Hamilton Psychiatric Hospital Lands (PED16254(e)) (Ward 8) (Item 12.7)

Staff was provided with direction in Closed Session.

(Whitehead/Eisenberger)

(a) That the direction provided to staff in Closed Session, respecting Report PED16254(e) - Potential Acquisition of the Former Hamilton Psychiatric Hospital Lands, be approved; and,

(b) That Report PED16254, respecting the Potential Acquisition of the Former Hamilton Psychiatric Hospital Lands, remain confidential.

The above Motion CARRIED unanimously, with all those present, on the following Standing Recorded Vote:

Yeas: Eisenberger, Whitehead, Skelly, Jackson, Collins, Merulla, Farr,
A. Johnson, Pearson, Ferguson, VanderBeek, Pasuta
Total: 12
Absent: Green, Partridge, Conley, B. Johnson
Total: 4

The recommendation above was referred to the Special Council meeting of May 2, 2018 as a Motion, for the consideration of Council.

(h) ADJOURNMENT (Item 13)

(VanderBeek/Collins)

That, there being no further business, the General Issues Committee be adjourned at 12:01 p.m.

CARRIED

Respectfully submitted,

M. Pearson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk